

obtaining compliance reports from recipients under 24 CFR 1.6(b); being permitted access to sources of information by recipients pursuant to 24 CFR 1.6(c); conducting periodic compliance reviews pursuant to 24 CFR 1.7(a); and conducting investigations pursuant to 24 CFR 1.7(c).

**Authority:** Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: February 26, 1998.

**Eva M. Plaza,**

*Assistant Secretary for Fair Housing and Equal Opportunity.*

[FR Doc. 98-6190 Filed 3-10-98; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4345-D-03]

### Redelegation of Authority; Waiver of Directives

**AGENCY:** Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

**ACTION:** Notice of redelegation of authority.

**SUMMARY:** In this notice, the Assistant Secretary for Fair Housing and Equal Opportunity redelegates to the General Deputy Assistant Secretary for FHEO and to FHEO HUB Directors in the field the authority to waive directives and handbook provisions pertaining to fair housing and equal opportunity in Department programs.

**EFFECTIVE DATE:** February 26, 1998.

**FOR FURTHER INFORMATION CONTACT:** Dianne Taylor, Office of FHEO, Department of Housing and Urban Development, Room 5100, 451 7th Street, SW, Washington, DC 20410, telephone numbers (202) 708-4252, ext. 140. (This is not a toll-free number.) This number may be accessed via TTY by calling the Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** The purpose of this redelegation is to provide the General Deputy Assistant Secretary for FHEO and FHEO HUB Directors in the field the authority to waive directives, including handbook provisions, pertaining to fair housing and equal opportunity in Department programs, in the geographic area for which the official is responsible. This redelegation does not supersede the Department's Statement of Policy published on April 22, 1991, at 56 FR 16337, entitled "Waiver of Regulations and Directive Issued by HUD."

Department directives mandated by statute, executive order, or regulation, and those related to civil rights compliance and enforcement are not within this redelegation. The Secretary is the ultimate repository of the authority both to issue and to waive the regulations of the Department. Typically the authority to issue regulations is delegated to an Assistant Secretary or official of equivalent rank. Under Section 7(q) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(q), the Secretary may not delegate the authority to waive a regulation below the Assistant Secretary rank. This prohibition even includes individuals who have been delegated authority concurrent with the Assistant Secretary. Under circumstances prescribed in the policy statement, the General Counsel must concur on proposed waivers of regulations subject to Section 7(q) of the HUD Act.

Under HUD's policy statement on waiver of regulations and directives, Directive means a Handbook (including a change or supplement), notice, interim notice, special directive, and any other issuance that the Department may classify as a directive. Handbook means a directive that communicates information of a permanent nature (including clarification of policies, instructions, guidance, procedures, forms, and reports) for HUD staff or program participants. Its permanent nature distinguishes a Handbook from other temporary HUD directives such as notices.

Accordingly, the Assistant Secretary for Fair Housing and Equal Opportunity redelegates as follows:

### Section A. Authority Redelegated

The Assistant Secretary for Fair Housing and Equal Opportunity retains and redelegates, to the General Deputy Assistant Secretary for FHEO and to each FHEO HUB Director in the field, the authority to waive Department directives, including handbook provisions, concerning fair housing and equal opportunity in Department programs, for the geographic area for which the official is responsible. Each waiver granted shall be in writing, specify the grounds for the waiver, and shall be transmitted in writing to the Assistant Secretary for FHEO.

**Authority:** Sec. 7(d) of the Department of Housing and Urban Development (42 U.S.C. 3535(d)).

Dated: February 26, 1998.

**Eva M. Plaza,**

*Assistant Secretary for Fair Housing and Equal Opportunity.*

[FR Doc. 98-6191 Filed 3-10-98; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Receipt of Application for Endangered Species Permit

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*):

**Applicant:** Christopher Niles Kernan, Fairchild Research Center, Miami, Florida PRT-839840.

The applicant requests authorization to remove and reduce to possession seeds and tissue samples of the endangered tiny polygala, *Polygala smallii*, from Federal properties in Miami for the purpose of enhancement of survival of the species.

**Applicant:** Gregory T. Hagan, Tallahassee, Florida PRT-839491.

The applicant requests authorization to take (capture, band, translocate, and harass during surveys and installation of cavity restrictors) the red-cockaded woodpecker, *Picoides borealis*, throughout the species range in Georgia and Florida, for the purpose of enhancement of survival of the species.

**Applicant:** Assistant Regional Director, Ecological Services, Fish and Wildlife Service, Southeast Region, Atlanta, Georgia PRT-697819.

The applicant requests renewal of existing authorization to take, or remove and reduce to possession, wildlife and plant species listed as threatened or endangered in 50 CFR Parts 17.11 and 17.12, from throughout these species' ranges in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Arkansas, Louisiana, Puerto Rico, and the U.S. Virgin Islands. Activities authorized under this permit are for the purpose of enhancement of survival of the species.

Written data or comments on these applications should be submitted to: Regional Permit Biologist, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345. All data and comments must be received by April 10, 1998.

Documents and other information submitted with this application are